

AGENDA

Dan Buckshi
County Administrator



BOARD OF SUPERVISORS

Frank R. Mecham, 1st District
Bruce Gibson, Vice-Chairperson, 2nd District
Adam Hill, 3rd District
Caren Ray, 4th District
Debbie Arnold, 5th District

Tuesday, November 26, 2013

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PRESENTATIONS

PUBLIC COMMENT PERIOD

BOARD BUSINESS

CLOSED SESSION

RECESS

AFTERNOON SESSION

1:30 PM

REPORT ON CLOSED SESSION

BOARD BUSINESS

ADJOURNMENT

5:00 PM

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: www.slocounty.ca.gov. Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE

CONSENT AGENDA – REVIEW AND APPROVAL

The items listed on this portion of the agenda are scheduled for consideration as a group. The staff recommendations will be approved as outlined within the staff report. Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Items Set for Hearing:

1. Submittal of a resolution introducing gas franchise ordinance and declaring intention to grant a franchise to Southern California Gas Company for transportation and distribution of gas in San Luis Obispo County. Hearing date set for December 17, 2013. All Districts.
2. Introduction of an Ordinance Amending Title 19 (Building and Construction Ordinance) of the County Code to remove conflicting language and add a new Chapter 9 (Stormwater Management). Hearing date set for December 3, 2013. All Districts.
3. Submittal of a resolution regarding local conditions and introduction of an Ordinance Amending Title 19 (Building and Construction Ordinance) by adopting the 2013 edition of the California Building Standards Code and setting December 3, 2013 as the date to hold a public hearing. All Districts.
4. Submittal of a resolution Regarding Local Conditions; Introduction of an Ordinance Amending Chapter 16.10 of the San Luis Obispo County Code by adopting and amending the 2013 Edition of the California Fire Code and setting of December 3, 2013 as the date to hold a public hearing; and a request for Use of Alternative Publication Procedures as authorized by Government Code section 25124.

Consent Agenda - Auditor - Controller - Treasurer - Tax Collector Items:

5. Request to approve the 2014 County Treasury Investment Policy.
6. Submittal of a compliance audit of the Health Agency - Office of the Public Guardian for calendar year 2012.
7. Review of the District Attorney's Office State of California Department of Insurance Automobile Insurance Fraud Program Grant for Fiscal 2012-13.
8. Review of the District Attorney's Office State of California Department of Insurance Workers Compensation Insurance Fraud Program Grant for Fiscal Year 2012-13.
9. Submittal of the Annual Routine Cash Shortages and Overages Report and the Departmental Bank Accounts and Cash Funds Listings for the fiscal year ended June 30, 2013.
10. Request to receive, review, and file the Annual Treasury Compliance Audit conducted by Gallina LLP for the fiscal year ended June 30, 2013.

Consent Agenda - Board of Supervisors Items:

11. Request to approve an agreement with the Los Osos Community Advisory Council allocating \$2,090 from District Two Community Grant Funds – Fund Center #106 to be used for expenses associated with holding monthly public advisory council meetings during FY 2013-14.

12. Submittal of a resolution declaring November 3, 2013 as the "Jay A. Connor Cops 'n Kids Annual Field Day" in San Luis Obispo County.
13. Request by Supervisor Frank Mecham to appoint Melanie Blankenship to the Ag Liaison Advisory Board.
14. Submittal of a letter to Bureau of Land Management re-nominating Debbie Arnold to serve as the District 5 representative on the Carrizo Plains National Monument Advisory Council to serve a two year term.

Consent Agenda - County Fire Items:

15. Submittal of a resolution to approve an agreement with the California Department of Forestry and Fire Protection for a grant in the amount of \$20,000 to purchase hand-held radios for County Fire firefighters.

Consent Agenda - Health Agency Items:

16. Request to: 1) approve the Local Primacy Delegation Agreement (Clerk's File) with the California Department of Public Health to enforce the State's drinking water requirements for community water systems serving 199 or fewer service connections; 2) approve the Grant Funding Agreement (Clerk's File) with the California Department of Public Health to provide one time funding in the amount of \$365,500 to support local primacy agency activities; 3) authorize the Health Officer or designee to sign the three attachments within the two agreements; 4) authorize a related budget adjustment for FY 2013-14 in the amount of \$50,000 from unanticipated revenue for Fund Center 160 - Public Health; and 5) authorize the Health Officer or designee to sign any future amendments related to the small water system program that does not increase the level of General Fund Support required by the Health Agency.
17. Request to approve a second amendment to the Trauma Center Agreement with Sierra Vista Regional Medical Center to extend the term from October 31, 2013 to February 28, 2014 with all other provisions remaining the same.
18. Request to approve an employment agreement with Anne Robin to serve as the County's Behavioral Health Administrator.
19. Submittal of resolution amending the Position Allocation List for Fund Center 166 – Behavioral Health by deleting 3.50 FTE Medical Records Technician and 5.00 FTE Senior Medical Records Technician positions and adding 6.50 FTE Health Information Technician I or II and 2.00 FTE Health Information Technician III, approving the new classification series Health Information Technician I/II/III and setting salary range.

Consent Agenda - Planning & Building Items:

20. Request to authorize the use of alternative publication procedures for amendments to the County's General Plan – Safety Element to incorporate by reference the adopted San Luis Obispo County Local Hazard Mitigation Plan and Titles 19 (The Building and Construction Ordinance), 22 (The Land Use Ordinance) and 23 (The Coastal Zone Land Use Ordinance) of the County Code to implement the Post Construction Stormwater Requirements. All Districts

Consent Agenda - Public Works Items:

21. Submittal a resolution ratifying the execution of various road program supplements under the Master Agreement, Administering Agency – State Agreement for State Funded Projects. Districts 1 and 4.
22. The following maps have been received and have satisfied all the conditions of approval that were established in their public hearings on their tentative maps:
 - A. Parcel Map CO 10-0085 a proposed subdivision resulting in 2 lots by the A. Terry Speizer Trust, Orcutt Road south of San Luis Obispo, District 3.
 1. Act on the attached resolution to accept the relinquishment of ingress and egress along Orcutt Road; and
 - B. Parcel Map CO 11-0059 a proposed subdivision resulting in 2 lots by the Mark Stephen Fluitt Revocable Trust, Orcutt Road south of San Luis Obispo, District 3.
 1. Act on the attached resolution to accept the relinquishment of ingress and egress along Orcutt Road.
 - C. Parcel Map CO 04-0627, a proposed subdivision resulting in 2 lots by Richard and Kimberly A. Rogers, Hollyhock Lane, east of Templeton, District 5.
 1. Act on the attached resolution to accept the offer of dedication for widening of Hollyhock Lane.
23. Submittal of a resolution authorizing execution of notice of completion and acceptance for the widening of Templeton Road from Bluebird Hill Lane to South El Pomar near Templeton. District 5.

Consent Agenda - Sheriff - Coroner Items:

24. Request to approve a transfer from the Federal Asset Forfeiture Trust Account in the amount of \$92,083, authorize a corresponding budget adjustment in Fund Center 136 – Sheriff-Coroner and amend the fixed asset list in Fund Center 136 - Sheriff-Coroner.
25. Request approval to increase the Segura Security Services Contract from \$50,000 to an amount not to exceed \$350,000 for FY 2013-14.

Consent Agenda - Social Services Items:

26. Submittal of a resolution to amend the Position Allocation List for Fund Center 180 - Social Services Administration to add 18.0 FTEs in various classifications to support implementation of changes to the CalWORKS and CalFresh programs, and request to approve a corresponding budget adjustment in the amount of \$3,109,700 to augment CalWORKS and CalFresh funding for this purpose and augment CalWIN funding in support of the Affordable Care Act.

Consent Agenda - Veterans Services Items:

27. Request to approve a special certificate of compliance for a one-time subvention funding communications program with the California Department of Veterans Affairs and authorize a budget adjustment in the amount of \$400,000 for Fund Center 186 - Veterans Services.

Presentations:

28. Submittal of a resolution proclaiming November 2013 as "Family Caregivers Appreciation Month" in San Luis Obispo County.
29. Submittal of a resolution proclaiming November 2013 as "National Hospice Month" in San Luis Obispo County.

Public Comment Period:

30. The general public comment period is intended to provide an opportunity for members of the public to address the Board on matters within the Board's purview that are not scheduled on the current agenda. Individuals interested in speaking are asked to fill out a "Board Appearance Request Form" and submit it to the Clerk of the Board prior to the start of general public comment. When recognized by the Chair, each individual speaker may address the Board and is limited to a MAXIMUM of three (3) minutes or a reasonable period of time as determined by the Board Chairperson.

Board Business:

31. Presentation by San Luis Obispo Council of Governments on the US Highway 101 Mobility Study Update. All Districts.

Closed Session Items:

32. I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:
 A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. Negranti & Sons v. San Luis Obispo County; 2. People of the State of California v. Sani, et al., 3. People of the State of California v. Welsh, et al.
- II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator Tami Douglas-Schatz concerning the following: Name of employee organizations are: 4. SLOCEA-Public Services, Supervisors, Clerical; 5. SLOCEA-Trades and Crafts. 6. DCCA; 7. SLOGAU; 8. SLOCPPOA.

RECESS**1:30 REPORT ON CLOSED SESSION**Board Business:

33. Consideration of a resolution providing direction to staff regarding vested rights determinations described in Ordinance No. 3246 that established a moratorium on new or expanded irrigated crop production, conversion of dry farm or grazing land to new or expanded irrigated crop production, and new development dependent upon a well in the Paso Robles Groundwater Basin unless such uses offset their total projected water use by a ratio of 1:1. Districts 1 and 5.

ND. WEEKLY REPORT OF ENVIRONMENTAL DOCUMENTS AVAILABLE FOR REVIEW

The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by the County, so that environmental considerations become a part of the decision making process. The following is a summary of the most recent determinations made by the County's Environmental Coordinator. The purpose of this listing is to notify the public of pending actions, which may affect the environment of San Luis Obispo County.

You are invited to participate in this process by reviewing and providing comments on the recommendations of the Environmental Coordinator. Your comments should be in writing and should be delivered to: Ellen Carroll, Environmental Coordinator, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, Ca 93408-2040. For more information about the environmental review process, please write to the address above, call the Environmental Division of the Department of Planning and Building at (805) 781-5600, or review the environmental determination and other information on our website located at www.sloplanning.org.

Proposed Negative Declarations

A Negative Declaration is issued for projects that would not result in significant effects on the environment. In many cases, the project applicant has added mitigation measures to the project to reduce environmental impacts in order to qualify for a Negative Declaration. If you disagree with the issuance of a proposed Negative Declaration, you may provide comments or file a Request for Review (appeal) of the Negative Declaration. Requests for Review must be filed within two weeks of the date that the proposed Negative Declaration is posted and must address only environmental issues. There is a fee for the request. If you would like more information about this process, please contact the Environmental Coordinator.

For Week of November 7, 2013

Nipomo Area

Moats Minors Use Permit. Request by Michael Moats for a Minor Use Permit to allow for the removal of three existing panel antennas and a 36 foot monopole, and installation of a new 53 foot simulated eucalyptus tree pole supporting eight new LTE panel antennas and eight new Remote Radio Units (RRUs). The project would also install two equipment racks on a new concrete slab at the base of the simulated eucalyptus tree. The proposed project would result in the disturbance of approximately 500 square feet on a 5 acre parcel. The proposed project is within the Residential Rural land use category. The proposed project is located at 1571 Scenic View Way, approximately 1,000 feet south of Eucalyptus Road, two miles northwest of the community of Nipomo. ED13-049 (DRC2012-00073)

Palo Mesa Area

Cypress Ridge L.P. Tract Map and Conditional Use Permit. Request by Cypress Ridge L.P. for a Vesting Tentative Tract Map (TR 2993) and Conditional Use Permit to allow a cluster subdivision of two existing 20.78 and 40.02 acre parcels resulting in twenty-one parcels of one acre each for the purpose of sale and/or development and two open space

parcels of 21.2 and 14.6 acres. The applicant has applied for a Transfer of Development Credit (TDC) to transfer nine (9) residential credits to the property. The project will result in the disturbance of approximately 40 acres of a 61-acre site as a result of the access drive, access trails, and future residences on the proposed parcels. The proposed project is within the Residential Rural (RR) land use category and is located at 852 Zenon Way, approximately 2,400 feet northeast of Callender Road, directly east of the community of Palo Mesa. The site is in the South County Inland planning area. ED08-248 (SUB2008-00028)

For Week of November 14, 2013

WHO: County of San Luis Obispo Department of Planning and Building

WHAT: Final Environmental Impact Report (FEIR) for the DANA Land Use Ordinance Amendment and Conditional Use Permit is complete and available for review. The FEIR addresses the environmental impacts that may be associated with a Land Use Ordinance (LUO) Amendment to §22.112.030.B (Community Planning Standards, Combining Designations, Historic Area (H) Dana Adobe) and §22.112.080.G (Community Planning Standards, South County Nipomo Urban Area, Recreation – Dana Adobe) and a Conditional Use Permit to accommodate implementation of the Master Plan for a visitor's center, outdoor amphitheater, Chumash Interpretive Area including exhibits and interpretive features, and associated support features.

The project is located within and immediately adjacent to the community of Nipomo, on the east side of South Oakglen Avenue, approximately 1 mile southeast of West Tefft Street and in the South County Inland Planning Area.

The EIR focuses on the following issues: visual resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, public services and utilities, transportation and circulation, water resources, and land use. The EIR also considers four alternatives, including two "No Project" alternatives.

Pursuant to Government Code 65962.5 ("Cortese List"), as of May 30, 2013, the site is on a list of "Other Cleanup Sites" identified by the State Water Resources Control Board and compiled by CalEPA. The site is identified as Nipomo Creek Pipeline, Line 300 (RM&R Site No. 3788) (SL0607907605) on the State Water Resources Control Board's GeoTracker mapping site:

(https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=SL0607907605).

WHERE: Copies of the Final EIR are available at the following locations: Cal Poly Library and City/ County Library of San Luis Obispo. Copies are also available on loan and for review at the Planning and Building Department, located at 976 Osos St., Room 200, San Luis Obispo, 93408-2040. The EIR is on the Planning Department's web site at: www.sloplanning.org under "Environmental Information and Natural Resources" then "Environmental Notices", then "Environmental Impact Reports and Major Projects". If you need more information about this project, please contact Brian Pedrotti at (805)788-2788 (or e-mail: bpedrotti@co.slo.ca.us).

PUBLIC HEARING: The public hearing before the Board of Supervisors to certify the EIR and consider the project for approval has been tentatively scheduled for December 10, 2013, in the Board of Supervisors Chambers, County Government Center, San Luis Obispo. If you plan to attend, please call to verify.

For Week of November 21, 2013

Paso Robles Area

Boneso Family Trust Major Grading Permit. Request by Boneso Family Trust for a major grading permit to construct a 4.04 acre-foot irrigation and frost protection reservoir for an existing 55-acre vineyard. The proposed project would result in approximately 34,700 square feet of disturbance, including 7,240 cubic yards of cut and fill, on a 60-acre parcel. The proposed project is within the Agriculture land use category. The proposed project is located at 3145 Rio Vista Lane, on the southeast corner of Rocky Canyon Road and Rio Vista Lane, approximately 500 feet east of the Atascadero city-limit, in the rural El Pomar-Estrella planning area. The subject parcel overlays the Atascadero sub-basin of the Paso Robles Groundwater Basin. ED13-077 (PMT2013-00419)